

Minutes of the Land Use, Parks and Environment Committee - August 3, 2004

The meeting was called to order at 8:50 a.m. by Chair Kolb.

Present: Chair Walter Kolb, County Board Supervisors Kathleen Cummings, Pauline Jaske, Bill Kramer, Daniel Pavelko, Vera Stroud; **Absent:** Scott Klein

Staff Present: Legislative Policy Advisor Mark Mader, Legis.Associate Sandra Meisenheimer

Also Present: Parks and Land Use Director Dale Shaver, Director of Administration Norm Cummings, Parks System Mgr. Jim Kavemeier, Land Resources Mgr. Perry Lindquist, Land Resources Supervisor Mark Jenks, Mike Jones of USDA, Co.Exec. Chief of Staff Allison Bussler

Public Present: Andrea Frank of 21420 W. Orchard Drive, New Berlin

Approve Minutes of July 13, 2004

Motion: Kramer moved, second by Pavelko, to approve the minutes of 7/13/04. **Motion carried 6 – 0.**

Correspondence

1. Stroud mentioned the article in the Health Section of yesterday's Milwaukee Journal Sentinel on how we're doing ourselves in by building in areas that disturb the natural balance.
2. Letter from Kathy Moore, Town of Mukwonago planner and Waukesha County senior planner, regarding R-3 ordinance – Repeal and Recreate Section 14 of the Zoning Ordinance for the Town of Mukwonago.

Public Comment

Andrea Frank of New Berlin spoke on the Barrett Landfill issue. She said at the time she bought her property, the well and septic inspection was done by a county sanitarian who has since retired. He did not mark that her well was within 1,200 feet of a landfill, and she had no way of knowing. She also doesn't believe any of the county maps at the time showed that the landfill site was even a landfill. When she went to the county later and found out what she had purchased and asked why it wasn't marked on the report, she was told the following: "The supervisor of the Parks and Land Use Department had called a meeting and had instructed them not to tell future property owners that their wells were within 1,200 feet of a landfill, because it might ruin property sales in the area." Frank went on to say that this committee needs to know this and also that she is not the only one. She went through the county records and there are multiple properties that were purchased during that time period.

Meeting Approvals

Motion: Jaske moved, second by Stroud, to approve committee attendance to the August 25 meeting at 7:00 p.m. at New Berlin City Hall. Jaske stated that members from the DNR, King Development and county representatives, including her, would be there. **Motion carried 6 – 0.**

Motion: K.Cummings moved, second by Pavelko, that a quorum of the Land Use, Parks and Environment Committee may be present. **Motion carried 6 – 0.**

Motion: Stroud moved, second by K.Cummings, to approve attendance for Supervisor Jaske to attend the August 19 Land Conservation meeting in Stevens Point. **Motion carried 6 – 0.**

Executive Committee Report by Walter Kolb for Meeting of August 2, 2004

Kolb reviewed items that were discussed and considered. In attendance was Senator Neal Kedzie, a supporter of TABOR, who stated one way or another TABOR will go through but it has to be reworked.

Consider Proposed Resolution: 159-R-006 Change in Accounting for the Parks and Land Use – Exposition Center from an Enterprise Fund to the General Fund

Shaver and N.Cummings were present. This resolution will approve the change in accounting for the Exposition Center operation from an Enterprise fund to the General Fund beginning with the 2005 Budget and continuing as long as facilities and other grounds improvements are not expanded.

N.Cummings stated the problem with enterprise accounting is if there was an audit statement just on the Expo Center, it would not generate sufficient money. Kolb said it never has. N.Cummings said they are at the point where they will have to invest hundreds of thousands of dollars into the Expo if it is kept as an enterprise fund. Since the user fees are not going to pay for the improvements, because the subsidy will be more than \$90,000, it would be necessary to put levy in. Shaver distributed a spreadsheet on "Enterprise vs. General Fund Accounting Pro Forma Profit/Loss," which he and N.Cummings explained.

Motion: Jaske moved, second by Stroud, to approve Resolution 159-R-006. A long discussion continued. N.Cummings added that along with this change in accounting, there will be an aggressive maintenance plan put in place for the Expo facilities. They will address things as needed on a timely basis.

Motion: Jaske moved, second by Stroud, called for the question. **Motion carried 5 – 1; K.Cummings voting no.**

On the motion: Motion carried 5 – 1; Kramer voting no.

Discussion of the Moor Downs Club House/Course Analysis

Shaver and Kavemeier were present. Shaver began with a recap using a site plan of Moor Downs Golf Course, Concept 1, Renovate Existing Club House and Hole #5 Safety Project. Copies of the capital project sheet with cost estimate worksheets of Concept 1, 2, and 3 were distributed, which Kavemeier explained. He also referred to the site plans to point out the different options in Concepts 2 and 3. Shaver stated the jail will be open by mid-summer next year but depending upon when construction of the court tower begins, there will be a parking issue in the area for the next three years. Shaver stated this project (Concept 1) will be in the capital projects plan for 2005.

Land Resources Division

Participation in the "Venison for the Hungry" Program – 2004

Jenks and Jones were present. Jenks gave background on the program. In 1999 Waukesha County participated in the Wildlife Damage Abatement and Claims Program. In 2001 the State made available the Venison for the Hungry Program where hunters could donate deer to venison processors who would grind it into meat and then donate it to local food pantries. After 2001 Waukesha County did not participate in the program because of chronic wasting disease. Jenks said they are considering it again but the approval of the committee is needed. Jaske asked which processors have offered their services. Jones replied Maple Creek Farms in Waukesha and TJ's Country Cookers in Oconomowoc. They are both licensed and would charge \$50 per deer. The county would pay the \$50 per deer and then be reimbursed by the State.

Motion: Stroud moved, second by Kramer, to vote against the Venison for the Hungry Program until they definitely say how and under what circumstances the disease is over with. **Motion carried 5 – 1; K.Cummings voting no.**

Updating the Conservation Standards for the Farmland Preservation Program:

Lindquist said this is for your information today, but action will be needed later on. The program was created in 1979 and a tax credit was offered to farmers for property tax relief in exchange for some land use restrictions and for conservation planning on their farms. Lindquist stated in 2002 when the new nonpoint rules were adopted the state expanded constitution compliance requirements to not just include soil erosion control but also animal waste runoff, nutrient management, etc. This year is the year that every county must comply, and there is a deadline. There must be something to the State Board at the October meeting. A public hearing will be held in September, and then it will come back to this committee for final adoption.

Lindquist distributed the Soil and Water Conservation Standards for the Farmland Preservation Program for the committee's review.

DATCP Funding Policy for Land Conservation Staffing Grants

Lindquist stated in 2005 for a number of counties their watershed projects end and this includes Waukesha County. What they were asking counties to do is to give advice on what the new formula should be. In the meantime the state association of employees got together and said they didn't want any formula but just wanted the law to be followed. As it turned out, they came up with the same position as the employees association. Lindquist also reviewed what was not addressed in the final document.

Motion: K.Cummings moved, second by Kramer, to support the nonpoint funding issue paper but the maintenance of effort clause should be updated to reflect the current budget instead of the 1987 budget, and that the whole law should be followed not just part of it, i.e., the law says one of the goals is to maintain an average of three staff per county. **Motion carried 6 – 0.**

Proposed By-Law Changes for WLWCA

Lindquist gave background information and referred to the handout, "Analysis, Proposed Revised By-laws of the Wisconsin Land and Water Conservation Association." Jaske will be attending the informational meeting for discussing the proposed revised by-laws and constitution of the WLWCA on August 19 in Stevens Point. She will keep the committee updated.

Proposed Storm Water Ordinance Revisions – Draft Summary

Lindquist distributed a handout, "Proposed Revisions to Waukesha County Storm Water & Erosion Control Ordinance (Chapter 14 – Waukesha County Code)" for the committee's review. He stated the first advisory committee meeting was yesterday on updating the storm water ordinance. The table in the handout summarizes the changes that Lindquist is proposing. He highlighted No. 10 (add DNR nonpoint source performance standards from NR 151) and No. 25 (add citation authority), which represent the biggest policy revisions. They will be meeting again in two months.

General Program Updates and Discuss Possible Fall Field Tour

Lindquist stated the compost project is under construction and they are happy about that. A notice is going out today to the communities that will be accepting yard waste on September 1. Lindquist asked if the committee would be interested in a field tour of projects, such as the compost project.

He suggested the end of September. The committee discussed possible dates but did not come to a final decision.

Meeting Approvals

Motion: Kramer moved, second by Jaske, to approve attendance for Supervisor Stroud to the SEWRPC Regional Informational meeting on August 19, 2004 at Frame Park. **Motion carried 6 – 0.**

Report by Supervisor Jaske on the July 29th Conservation Subdivisions Program in Waukesha County

Jaske reported on the meeting that she attended on July 29. She stated that all the same officers were elected mainly because no one else volunteered. They talked at length about the staffing issue that you all are aware of. There was a fantastic turnout. Dick Mace gave a presentation on how credits are given on cluster developments and preserving the green space. Jenks mentioned that the last speaker who is an attorney (name unknown) was very interesting. He spoke on the impediments to conservation development that he has seen through his years of trying to help different people.

Motion to adjourn: Kramer moved, second by K.Cummings, to adjourn the meeting at 12:06 p.m. Motion carried 6 – 0.

Respectfully submitted,

Pauline T. Jaske
Secretary

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